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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 37966-0074

Applicant(s) Winfried MAYR et al.

Confirmation No.: 2964

Appl. No.: 10/542,404

Examiner: Unassigned

Filing Date: July 15, 2005

Group Art Unit: Unassigned

Title: IMPLANT FOR DRAINING CHAMBER WATER FROM THE FRONT EYE  
CHAMBER INTO THE EPISCLERAL VEINS

TRANSMITTAL LETTER

United States Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Applicants believe that the attached Notification of Missing Requirements mailed on February 27, 2006 was received in error. Applicants submit herewith a copy of the following documents filed on October 25, 2005:

- (1) Transmittal Letter
- (2) English Translation of Intl. App. No. PCT/AT2003/000381
- (3) Copy of the PTO-Stamped Receipt Card

Respectfully submitted,

  
for Patricia D. Granados #43,656  
Patricia D. Granados  
Reg. No.: 33,683

March 20, 2006

Date

HELLER EHRLAN LLP  
1717 Rhode Island Avenue, N.W.  
Washington, D.C. 20036  
Telephone: (202) 912-2000  
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Customer No. 26633

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MAR 20 2006

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Certificate of Transmission under 37 C.F.R. 1.8**

Re: U.S. Serial No. 10/542,404 (MAYR et al.)  
IMPLANT FOR DRAINING CHAMBER WATER FROM THE FRONT EYE CHAMBER  
INTO THE EPISCLERAL VEINS  
Filing Date: July 15, 2005  
Confirmation No.: 2964  
Examiner: Unassigned  
Group Art Unit: Unassigned  
Our Reference: 37966-0074

I hereby certify that the following correspondence is being facsimile transmitted to the Central  
Fax Number at the United States Patent & Trademark Office at 571-273-8300 on March 20,  
2006:

- (1) Transmittal Letter (1 page)
- (2) Copy of Transmittal Letter Concerning A Filing Under 35 CFR §371 (2 pages)
- (3) Copy of English Translation of Intl. App. No. PCT/AT2003/000381
- (4) Copy of PTO-Stamped Receipt Card (1 page)

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Denise M. Mayhew  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

PTO-1320 (Rev. 02-2006)

Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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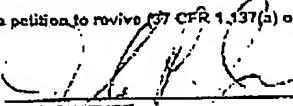
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>37966-0074</b>
INTERNATIONAL APPLICATION NO. <b>PCT/AT03/000381</b>	INTERNATIONAL FILING DATE <b>December 23, 2003</b>	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/542,404</b>
PRIORITY DATE CLAIMED <b>January 23, 2003</b>		
TITLE OF INVENTION <b>Implant For Draining Chamber Water From The Front Eye Chamber Into The Episcleral Veins</b>		
APPLICANT(S) FOR DO/EO/US <b>Winfried MAYR; Clemens VASS; Ewald UNGER</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the Inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(6)).</p>		
Items 11 to 20 below concord document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Declaration and Power of Attorney</p>		

PTO-1350 (Rev. 02-2005)

Approved for use through 3/1/2007. OMB 0651-0021

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/542,404		PCT/AT03/000381		37966-0074	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee..... \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(e)(2)) has been paid on the International application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			x \$250	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		\$
Total claims	9 - 20 =	0	x \$ 50		\$
Independent claims	1 - 3 =	0	x \$200		\$
MULTIPLE DEPENDENT CLAIM(S) (If applicable)				x \$360	
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				SUBTOTAL = \$ 65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$ 130.00	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$	
TOTAL FEES ENCLOSED =				\$ 195.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>195.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-1641</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203B.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO: Customer No. 26633</p> <p>Date: October 25, 2005</p> <p> SIGNATURE John P. Isaacson NAME 33,715 REGISTRATION NUMBER</p>					

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## UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/542,404	Winfried Mayr	37966-0074
INTERNATIONAL APPLICATION NO.		
PCT/AT03/00381		
LA. FILING DATE	PRIORITY DATE	
12/23/2003	01/23/2003	
CONFIRMATION NO. 2964		
371 FORMALITIES LETTER		
 *OC000000018138143*		

Date Mailed: 02/27/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/15/2005
- Copy of the International Search Report filed on 07/15/2005
- Preliminary Amendments filed on 07/15/2005
- Oath or Declaration filed on 07/15/2005
- U.S. Basic National Fees filed on 07/15/2005
- Priority Documents filed on 07/15/2005
- Power of Attorney filed on 07/15/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,404	PCT/AT03/00381	37966-0074

FORM PCT/DO/EO/905 (371 Formalities Notice)